

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

SHYANNE TUBBS,

Plaintiff,

v.

MONICA STELLER, PETER HINTZ,
and DAVID GRISAMORE,

Defendants.

Case No. 21-CV-1121-JPS

ORDER

On September 27, 2021, Plaintiff Shyanne Tubbs ("Tubbs") filed a pro se complaint stemming out of a fire at her apartment against PMI of Greater Milwaukee employee, Monica Steller; the property owner, David Grisamore; and Peter Hintz of Sid Grinker Fire and Water Restoration. (Docket #1). Plaintiff also filed a motion for leave to proceed *in forma pauperis*. (Docket #2). The case was randomly assigned to Magistrate Judge Nancy Joseph, who determined both that Tubbs was indigent for the purpose of proceeding without prepayment of the filing fee and that the complaint failed to allege subject-matter jurisdiction. (Docket #5). Magistrate Judge Joseph allowed Tubbs to file an amended complaint. (*Id.*)

On October 29, 2021, Tubbs filed an amended complaint. (Docket #6). Magistrate Judge Joseph screened the amended complaint on December 2, 2021 and determined that Tubbs had failed to state a claim for relief. (Docket #7). Magistrate Judge Joseph issued a report and recommendation to this Court, recommending that the case be dismissed for failure to state a claim. (*Id.*) Specifically, Tubbs amended her complaint to include a charge that Defendants had violated the Fair Housing Act, 42 U.S.C. § 3601, *et seq.*,

but failed to state more than mere suspicions that Defendant Steller “committed [criminal] actions based solely on her personal opinion of certain groups of people (African-American) and their socioeconomic status.” (Docket #6 at 6).

In her amended complaint, Tubbs requests “a few more days” to “properly address the laws that have been broken/rights violated.” (*Id.* at 4). Pursuant to General Local Rule 72(c), 28 U.S.C. § 636(b)(1)(B), and Federal Rules of Civil Procedure 59(b) and 72(b), Magistrate Judge Joseph advised the parties that written objections to the report and recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation. (Docket #7 at 4). However, to date, no party has filed any objection or amended complaint. The Court has considered Magistrate Judge Joseph’s recommendation and, having received no objection thereto, will adopt it.

Accordingly,

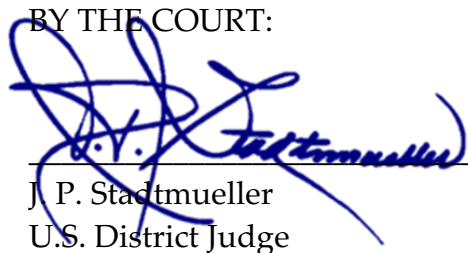
IT IS ORDERED that Magistrate Judge Nancy Joseph’s report and recommendation (Docket #7) be and the same is hereby **ADOPTED**; and

IT IS FURTHER ORDERED that this action be and the same is hereby **DISMISSED without prejudice**.

The Clerk of the Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 30th day of December, 2021.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge